

**CITY OF SHOREVIEW
MINUTES
REGULAR CITY COUNCIL MEETING
June 20, 2016**

CALL TO ORDER

Mayor Martin called the regular meeting of the Shoreview City Council to order at 7:00 p.m. on June 20, 2016.

PLEDGE OF ALLEGIANCE

The meeting opened with the Pledge of Allegiance.

ROLL CALL

The following members were present: Mayor Martin; Councilmembers Johnson, Quigley, Springhorn and Wickstrom

APPROVAL OF AGENDA

MOTION: by Councilmember Wickstrom, seconded by Councilmember Quigley to approve the June 20, 2016 agenda as submitted.

VOTE: Ayes - 5 Nays - 0

PROCLAMATIONS AND RECOGNITIONS

Eagle Scout

Mayor Martin recognized Aaron Marx for his achievement in earning the Boy Scout rank of Eagle Scout. Aaron is in Troop 408.

Aaron stated that his Eagle Scout project was to construct 12 bat houses in two City parks to prevent droppings in park areas.

Citizen Academy

Mayor Martin recognized the following participants of Shoreview's first Citizen Academy. She commended the work done by staff to conduct the six sessions about functions and operations in local government and thanked all who participated. Mayor Martin presented certificates to each participant:

Andrew Barthel
Richard Bocovoy
Michael Divine
John Doan
David Gladis

Ted Guess
John Hakes
Nicole Hertel
Nancy Hoyt
Munir Kaderbhai
Jay Martin
Craig Mullenbach
Deb Musch
Eugene Nichols
Susan Rengstorf
Mark Stange
Trupti Storlie
Robert Weyandt
Annette Winrick

City Manager Award

Mayor Martin announced that at the League of Minnesota Cities Conference, City Manager Terry Schwerm was awarded the James Miller Leadership Award, for appointed officials.

CITIZEN COMMENTS

There were none.

COUNCIL COMMENTS

Mayor Martin:

The rail crossing quiet zones have been established in Shoreview. All four railroad crossings in Shoreview and six crossings in Little Canada have implemented quiet zones.

The Farmers' Market opened the previous week. It will be open every Tuesday until mid-October from 3:00 to 7:00 p.m. All are encouraged to take advantage of the wonderful produce.

Councilmember Wickstrom:

Night to Unite is August 2, 2016, when neighborhoods gather. Any group who would like a Ramsey County Sheriff's officer to attend their neighborhood party should register on the Ramsey County Sheriff's website. School supply donations will be collected for students who need them.

This week's Concert in the Commons will feature *A Hard Day's Night*, a Beatles tribute band. The concert is Wednesday, at 7:00 p.m., at the Haffeman Pavilion.

Councilmember Springhorn:

A reminder to parents that many fun activities for youth are at the Community Center this summer. Detailed information is available at www.shoreviewcommunitycenter.com.

Councilmember Johnson:

July 22 through July 24 will be the annual *Slice of Shoreview* at Island Lake Park. Detailed information can be found at the *Slice of Shoreview* website.

Councilmember Quigley:

The Ramsey County Sheriff's Department is holding two community outreach events called "Hot Dog With a Deputy" in Shoreview. The first is Wednesday, June 29, at Bobby Thiesen Park, from 5:00 to 7:00 p.m. The second event will be Wednesday, August 10th, at the Commons Haffeman Pavilion immediately prior to the concert. Free hot dogs, chips, and water will be offered.

CONSENT AGENDA

Mayor Martin requested that item No. 1, June 6, 2016 City Council Meeting Minutes be voted on separately.

MOTION: by Councilmember Quigley, seconded by Councilmember Johnson to adopt the Consent Agenda for June 20, 2016, and all relevant resolutions for item Nos. 2 through 14:

2. Receipt of Committee/Commission Minutes:
 - Bikeways & Trailways Committee, May 5, 2016
3. Monthly Reports:
 - Administration
 - Community Development
 - Finance
 - Public Works
 - Park And Recreation
4. Verified Claims in the Amount of \$2,018,310.89
5. Purchases
6. Developer Escrow Reductions
7. Acceptance of Annual Financial Report for 2015
8. Approval of Fireworks Display - *Slice of Shoreview*
9. Authorize Purchase of Trail Seal Coating Materials
10. Authorize MnWarn Mutual Aid Agreement
11. Prohibit On-Street Parking for Portions of Grand Avenue
12. Approve Supplemental Agreement with MnDOT for I-694 Water Main Relocation, City Project 15-10
13. Award of Quotes - Community Center/City Hall Lighting Retrofit Project
14. Approval of Quotes - Relocation of Electronic Message Sign

VOTE: Ayes - 5 Nays - 0

MOTION: by Councilmember Quigley, seconded by Councilmember Wickstrom to approve the June 6, 2016 City Council Meeting Minutes as submitted.

VOTE: Ayes - 4 Nays - 0 Abstain - 1 (Mayor Martin)

Mayor Martin abstained, as she did not attend the June 6th meeting.

PUBLIC HEARING

AUTHORIZE THE SUBMITTAL OF MUNICIPAL SEPARATE SEWER SYSTEM (MS4) ANNUAL REPORT FOR 2015

City Attorney Kevin Beck stated that all notice requirements have been completed for the public hearing.

Presentation by Public Works Director Mark Maloney

The required annual report on the status of compliance with the City's Municipal Separate Storm Sewer System (MS4) under the National Pollution Discharge Elimination System (NPDES) has been prepared. The report shows progress on achieving the six minimum control measure (MCM) goals in the City's Storm Water Pollution Prevention Plan. Prior to submission to the Minnesota Pollution Control Agency, a public hearing is required.

The six MCMs identified in the report are as follows:

MCM 1. Public Education and Outreach: In 2015, a number of high priority issues were emphasized, such as residential Best Management Practices, Yard Waste, de-icing and construction activities. The methods of outreach used include the City's webpage, a permitting process for grading activities, articles in the *ShoreViews* and local papers, and educational materials provided at City Hall.

MCM 2. Public Participation: Through this public hearing.

MCM 3. Illicit Discharge Detection and Elimination: An ordinance was adopted in 2012 to define illicit discharge in the storm water system and provide inspection and enforcement authority to the City. Illicit discharges include paint, yard clippings, herbicides, pesticides, yard waste, or anything that enters the storm water system that should not be there. In conjunction with the Watershed District, educational materials have been developed and distributed to residents.

MCM 4. Construction Site Storm Water Runoff: In 2015, the City took 17 enforcement actions related to erosion and sediment control ordinances in public and private development. Inspections are made bi-weekly during the construction season and after storm events.

MCM 5. Post-construction Storm Water Management in New Development and Redevelopment: Ongoing compliance with watershed permitting authority, Ramsey-Washington Metro and Rice Creek Watershed Districts in Shoreview. Both watershed districts have updated their Surface Water Management Plans. The City will be required to update its plan in 2017, with rules equal to or more restrictive than the Watershed District.

MCM 6. Pollution Prevention/Good Housekeeping for Municipal Operations: This includes internal inspection, maintenance and repair of the City's existing storm water infrastructure. Inventory records of all storm water related infrastructure are required.

New permit requirements were effective August 1, 2013 that require specific information on minimum control measures. Development Agreements with the City are very specific to storm water management requirements and include storm ponds and City facilities as part of any approval.

Councilmember Quigley asked if there is any impact known to the downstream flow. Mr. Maloney explained that all storm water eventually flows into a public water body. All water bodies are monitored regularly for contaminant levels. The trends of water quality in the water bodies in this area have held steady or improved, which speaks well to this program.

Mayor Martin stated that another illicit discharge is pet waste that could be added to the list. She asked if there is a penalty for violations. Mr. Maloney stated that City Code has been amended to give the City authority to enforce correct practices.

Councilmember Wickstrom noted that Stop Work Orders can and have been issued to rectify problems if necessary.

Mayor Martin opened the public hearing. There were no comments or questions.

MOTION: by Councilmember Johnson, seconded by Councilmember Wickstrom to close the public hearing.

VOTE: Ayes - 5 Nays - 0

Councilmember Wickstrom commended Mr. Maloney for his presentation and the illustrations that show storm water drains with improper materials disposed. She suggested some illustrations be included in the *ShoreViews* to further educate residents.

MOTION: by Councilmember Wickstrom, seconded by Councilmember Springhorn to direct the Public Works Director to submit the final MS4 Annual Report for 2015 to the Minnesota Pollution Control Agency reflecting the receipt of any comments from the Public Hearing held on June 20, 2016.

ROLL CALL: Ayes: Johnson, Quigley, Springhorn, Wickstrom, Martin
Nays: None

GENERAL BUSINESS

ADOPTION OF ORDINANCE APPROVING REZONING OF VACANT LAND ON SUNVIEW COURT - MAX SEGLER

Presentation by City Planner Kathleen Castle

The application is to rezone vacant property from UND, Urban Underdeveloped to R-1, Detached Residential in order to construct a new single-family home with an attached garage. A variance request for an increased front yard setback for the home was approved by the Planning Commission. The property is located east of Sunview Court.

The property consists of 5 acres with upland and wetland area. Adjacent land uses include townhouses, single-family residential and wetland. Access will be from Sunview Court across the wetland. Rice Creek Watershed District has approved a conditional permit. A drainage and utility easement will be conveyed to the City on the wetland area. Also, a wetland buffer will be provided.

Notices were sent to property owners within 350 feet of the subject property. Responses include concerns about development that will disturb the natural environment with the proposed driveway and the impact on views.

The Lake Johanna Fire Department finds the proposal to be consistent with the Fire Code.

The Planning Commission reviewed this proposal at its May 24, 2016 meeting and held a public hearing. The Commission approved the front setback variance on a 6 to 0 vote and recommended the City Council approve the rezoning application with removal of the barbed wire, creation of a wetland buffer and that drainage and utility easements be provided to the City.

Staff finds that the proposed R-1 zoning is consistent with the Comprehensive Plan, which indicates low density residential development for the property. The plan is consistent with rezoning criteria, and single-family use will not significantly adversely impact surrounding property.

Councilmember Wickstrom asked if mitigation is necessary for disturbance of the wetland for the driveway. Ms. Castle answered that the applicant purchased wetland credits from the Rice Creek Watershed District and compensatory flood storage is required.

Councilmember Springhorn noted that neighboring residents' comments indicate they understood this land to be owned and managed by the DNR. He asked for clarification. Ms. Castle stated that when some residents bought their homes, they were told the land was owned by the DNR and would not be developed. However, the water bodies do not fall under the jurisdiction of the DNR but under the Rice Creek Watershed District. If certain conditions are met, a permit can be granted.

Councilmember Wickstrom added that there is wetland in the area under DNR jurisdiction, but it does not apply to this property.

Councilmember Johnson asked if there are any concerns about water drainage that would impact neighboring residents. Ms. Castle responded that no impacts are anticipated. The grading and drainage plan that will be reviewed in detail during the permit process.

Mayor Martin asked if City sewer and water connections are planned. Ms. Castle stated that both City sewer and water are available to this property from Sunview Court and Silverthorn Place.

MOTION: by Councilmember Johnson, seconded by Councilmember Quigley to adopt Ordinance No. 944 approving the Rezoning request submitted by Max Segler for PIN No. 03-30-23-42-0001, a vacant 5-acre parcel east of Sunview Court. This approval is subject to the following conditions:

1. The project shall conform to the approved plans. The dwelling shall have a minimum 260-foot and maximum 275-foot front setback, in accordance with the variance approved by the Planning Commission at their May 24, 2016 meeting.
2. Final utility plans are subject to review and approval by the Public Works Director.
3. A Development Agreement and Erosion Control Agreement shall be executed and related securities submitted prior to any work commencing on the site. A Grading Permit is required prior to commencing work on the site.
4. An easement over delineated wetland area, including areas created for compensatory storm water storage, and a wetland buffer adjacent to Sunview Court and Silverthorn Place shall be conveyed to the City prior to the issuance of any permits for the project.
5. The landscape/tree-replanting plan shall be provided in accordance with the City's Tree Protection Ordinance. Trees on the property, which are to remain, shall be protected with construction fencing placed at the tree driplines prior to grading and excavating. Said plan shall be submitted for review and approval by the City Planner prior to issuance of any permits for the project.
6. This approval will expire after one year if a building permit has not been issued and work commenced.

This approval is based on the following findings:

1. The proposed Rezoning is consistent with the policies of the Comprehensive Plan related to land use.
2. The change allows for development of a vacant 5-acre parcel of record to be developed with a detached single-family dwelling, and that development will not adversely impact the planned land use of the surrounding property.
3. The proposal will not impede or otherwise conflict with the planned use of adjoining property.
4. The proposed residential use complies with the standards of the Development Code.

Mayor Martin asked if all the conditions are agreed to by the developer. **Mr. Segler**, applicant, noted that the resolution refers to a utility easement. In prior discussions he understood the easement to be a ponding and holding easement and asked the difference. Ms. Castle responded that the final Development Agreement documentation will reflect prior discussions with the applicant regarding the easement.

WEED ABATEMENTS

Presentation by City Planner Kathleen Castle

Staff is seeking an order for vegetative growth abatements on the above listed properties for noxious weeds and growth over 9 inches, which violates City Code. The property owners were notified of the property conditions to be addressed and of this public hearing. City Council action will authorize abatement of the nuisance conditions, and the property will be monitored through the 2016 and 2017 growing seasons for any further abatement needed.

Mayor Martin noted that if property conditions were addressed within a few days, the City would not contract for the work. Ms. Castle agreed and added that the order will allow staff to monitor the properties and order abatement if necessary.

Councilmember Johnson stated that the Council takes abatement seriously in its effort to maintain quality neighborhoods. She commended staff for the thorough documentation provided before proceeding with an abatement request.

ROLL CALL: Ayes: Springhorn, Wickstrom, Johnson, Quigley, Martin
Nays: None

ADJOURNMENT

MOTION: by Councilmember Springhorn, seconded by Councilmember Quigley to adjourn the meeting at 8:02 p.m.

VOTE: Ayes - 5 Nays - 0

Mayor Martin declared the meeting adjourned.

THESE MINUTES APPROVED BY COUNCIL ON THE ____ DAY OF _____ 2016.

Terry Schwerm
City Manager